

## Message Text

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ACTION EUR-12

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FRB-01 INR-07 NSAE-00 CIEP-02 SP-02 STR-04 TRSE-00  
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TO SECSTATE WASHDC 2742  
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E.O. 11652:N/A  
TAGS:EEC,PFOR  
SUBJECT: STATEMENT BY EC COMMISSION PRESIDENT ROY JENKINS AT EUROPEAN  
COURT OF JUSTICE

1.THE NEW EC COMMISSION TRAVELLED TO LUXEMBOURG TODAY  
(JANUARY 11)TO TAKE ITS OATH OF OFFICE AT THE COURT OF  
JUSTICE.ON THIS OCCASION COMMISSION PRESIDENT ROY JENKINS  
DELIVERED A BRIEF BUT ELOQUENT STATEMENT ON THE ROLE OF THE  
COMMISSION AND COURT IN ACHIEVING EUROPEAN UNITY.

2.JENKINS BEGAN BY OBSERVING THAT THE NEW COMMISSION WAS  
TAKING ITS OATH AT A TIME "WHEN THE IDEA OF EUROPEAN UNITY  
IS ESTABLISHED BUT LACKS DYNAMISM." THEREIN,HE OBSERVED,LIES BOTH  
A CHALLENGE AND AN OPPORTUNITY FOR THE COMMUNITY'S  
INSTITUTIONS.THE COMMISSION'S ROLE IS ESSENTIALLY A  
POLITICAL ONE. " BUT ITS POLITICS SHOULD BE NEITHER THOSE  
OF PARTY NOR OF NATON,BUT OF THE EUROPEAN INTEREST AS A  
WHOLE." THE ACHIEVEMENT OF THIS SORT OF LEADERSHIP REQUIRES  
INDEPENDENCE BOTH OF JUDGMENT AND OF ACTION,BUT THE COM-  
MISSION'S INDEPENDENCE SHOULD NEVER BECOME A "STERILE  
ISOLATION." "OUR PROPOSALS," HE POINTED OUT, " MUST  
BE REALISTIC AND FORCEFUL AND MOVE THE POLITICAL  
REPRESENTATIVES OF MEMBER STATES IN THE COUNCIL TO  
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MAKE BINDING AND EFFECTIVE DECISIONS." THIS REQUIRES  
A VISION WIDE ENOUGH TO ENCOMPASS THE AIM OF EUROPEAN

UNITY,AND PRACTICAL ENOUGH TO RESPECT THE DIVERSE  
TRADITIONS OF THE PEOPLES OF THE COMMUNITY.SUCH A  
ROLE,JENKINS POINTED OUT,OCCASIONALLY PRODUCES TENSION,  
EVEN CONFLICT,BUT THIS IS NOT UNIQUE TO

THE COMMISSION.THE COURT FACES A SIMILAR DILEMMA  
IN ACTING AS GUARDIAN OF THE TREATIES AND APPLYING  
LAW WHICH TOUCHES THE DAILY LIVES OF THE CITIZENS OF THE  
COMMUNITY.

3.JENKINS THEN OBSERVED THAT THE COMMUNITY IS NOT  
IN ITS ORIGINS,,LIKE THE UNITED STATES,A FEDERAL  
STATE.BUT HE RECALLED HOW THE U.S.SUPREME COURT  
OPERATED IN ITS EARLIEST DAYS WHEN THE JUSTICES WENT  
ON CIRCUIT THROUGHOUT THE ORIGINAL THIRTEEN STATES.  
"THIS PERIPATETIC SUPREME JUDICIARY GREATLY CONTRIBU-  
TED TO THE BINDING TOGETHER OF THE UNION IN ITS EARLY  
YEARS",JENKINS STATED - " THEY WERE VISIBLY SEEN TO  
BRING JUSTICE TO THE PEOPLE." THE SPIRIT OF THESE  
TRAVELS -- OF TRYING TO BRING THE 13 STATES MORE  
CLOSELY TOGETHER -- IS ONE WHICH THE EUROPEAN COURT  
HAS SUCCEEDED IN ACHIEVING." THE DIRECT CONTACT OF  
THE COMMUNITY'S LEGAL ORDER WITH COMMUNITY'S CITI-  
ZENS,HE ASSERTED,IS A VITAL ELEMENT IN THE PROCESS  
OF INTEGRATION WITH WHICH THE COURT,NO LESS THAN THE  
COMMISSION IS CHARGED.JENKINS CONCLUDED HIS  
REMARKS BY POINTING OUT THAT THE EUROPEAN COMMUNITY  
"NEEDS AND EXPECTS A CONSTRUCTIVE LEAD FROM ITS  
INSTITUTIONS" AND THAT IT IS ESSENTIAL FOR THE  
COMMISSION,THE COURT,AS WELL AS THE PARLIAMENT,TO  
WORK CLOSELY TOGETHER TOWARD THIS END.

4.THE FULL TEXT OF PRESIDENT JENKINS'SSTATEMENT  
WILL BE TRANSMITTED BY AIRGRAM.  
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## Message Attributes

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**Subject:** STATEMENT BY EC COMMISSION PRESIDENT ROY JENKINS AT EUROPEAN COURT OF JUSTICE  
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